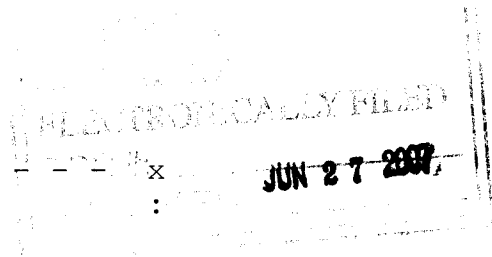


JUDGE JONES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

DERRICK NEMBHARD,
a/k/a "Derrick Brown,"

INDICTMENT
07 CRIM. 584

Defendant.

x

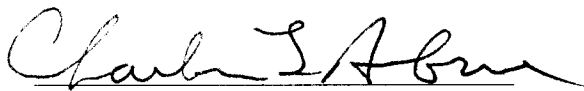
COUNT ONE

The Grand Jury charges:

From at least on or about February 4, 1998, up to and including on or about the date of the filing of this Indictment, in the Southern District of New York and elsewhere, DERRICK NEMBHARD, a/k/a "Derrick Brown," the defendant, being an alien, unlawfully, willfully, and knowingly, did enter, and was found in, the United States, after having been deported and removed from the United States subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction for the Attempted Criminal Sale of a Controlled Substance in the Third Degree, a violation of New York State Penal Law sections 110.00 and 220.39, in Bronx County Supreme Court, Bronx County, on or about August 7, 1991, without having obtained the express consent

of the Attorney General of the United States, or his successor,
the Secretary for Homeland Security, to reapply for admission.

(Title 8, United States Code, Sections 1326(a) and (b)(2).)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DERRICK NEMBHARD,
a/k/a "Derrick Brown,"

Defendant.

INDICTMENT

07 Cr.

(8 U.S.C. §§ 1326(a) and (b)(2))

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Charles L. Arnone
Foreperson.

6/27/07 Indictment filed. A/W issued. Case
SAH assigned to Judge Jones.

Fox, J.